

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

**In re: Dorothy Mae Suiter-Crenshaw
Debtors**

**Case No. 14-34038-KRH
Chapter 13**

**Address: 6500 Clisby Road
Richmond, VA 23225**

Last four digits of Social Security No(s): xxx-xx-4963

NOTICE OF MOTION TO WITHDRAW AS COUNSEL AND NOTICE OF HEARING

Counsel for the Debtor, Dorothy Suiter-Crenshaw, has filed a Motion to Withdraw as Counsel, asking that the Court permit Boleman Law Firm and its lawyers to withdraw as counsel of record in this Chapter 13 case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one.

NOTICE IS HEREBY GIVEN THAT A HEARING ON THIS MOTION WILL BE HELD AT THE UNITED STATES BANKRUPTCY COURT, 701 EAST BROAD STREET, COURTROOM 5000, RICHMOND, VA 23219 ON JULY 22, 2015, AT 12:00 PM.

If you want to be heard on this matter, then on or before two (2) business days before the date of the hearing, you or your attorney must:

1. File with the court, at the address below, a written response pursuant to Local Rule 9013-1(H). If you mail your response to the Court for filing, you must mail it early enough so that the Court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 East Broad Street, Suite 4000
Richmond, VA 23219

2. You must also mail a copy to:

Laura Taylor Alridge (VSB #42549)
Mark C. Leffler (VSB #40712)
Boleman Law Firm, P.C.
2104 W. Laburnum Avenue, Suite 201
P.O. Box 11588
Richmond, Virginia 23230-1588
Telephone (804) 358-9900
Counsel for Debtors

Boleman Law Firm, P.C.
2104 Laburnum Ave., Suite 201
P.O. Box 11588
Richmond, VA 23230-1588

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an Order granting that relief.

Dated: July 7, 2015

BOLEMAN LAW FIRM

By: /s/ Mark C. Leffler

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Telephone (804) 358-9900
Counsel for Debtor

CERTIFICATE OF SERVICE

I certify that on July 7, 2015, a copy of the foregoing has been mailed via first class mail to Dorothy Suiter-Crenshaw, Suzanne Wade, Chapter 13 Trustee, the United States Trustee, and all creditors as set forth on the attached mailing matrix.

By: /s/ Mark C. Leffler

Counsel for Debtor

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

**In re: Dorothy Suiter-Crenshaw
Debtor**

**Case No. 14-34038-KRH
Chapter 13**

MOTION TO WITHDRAW AS COUNSEL

COMES NOW the attorneys of the Boleman Law Firm, P.C., (“Boleman”) and respectfully requests that the Court allow Boleman and each of its respective lawyers to withdraw as counsel of record for Dorothy Suiter-Crenshaw (the “Debtor”) based upon the following reasons:

1. Debtor filed this case on July 29, 2014.
2. At the time of the filing of this bankruptcy, Ms. Suiter-Crenshaw’s estranged husband, William Crenshaw, was also a Boleman client (Case No. 13-33233-KRH).
3. When Ms. Suiter-Crenshaw’s bankruptcy case was filed, there did not appear to be any conflict of interest.
4. On January 29, 2015, the Chapter 13 Trustee filed a Motion to Dismiss for Unreasonable Delay in Ms. Suiter-Crenshaw’s case. The basis of this Motion to Dismiss was that the Internal Revenue Service (“IRS”) filed a claim for taxes owed by Ms. Suiter-Crenshaw and Mr. Crenshaw for the 2011 tax year and that Ms. Suiter-Crenshaw’s Chapter 13 Plan did not provide sufficient funding for payment of the IRS claim.

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Counsel for Debtors

5. Ms. Suiter-Crenshaw asserts potential defenses and objections to the IRS claim that would conflict with Mr. Crenshaw's interests.

6. Pursuant to Virginia Rule of Professional Conduct 1.7(a), subject to an exception that is not applicable in this case,

“[A] lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:

(1) the representation of one client will be directly adverse to another client; or
(2) there is significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.”

7. Boleman is unable to assert the defenses and objections to the IRS claim on behalf of Ms. Suiter-Crenshaw without taking an adverse position to Mr. Crenshaw's interests. Therefore, Boleman has a conflict of interest with both Ms. Suiter-Crenshaw and Mr. Crenshaw and is unable to continue representing either party.

8. Boleman has attempted to resolve this matter with both Ms. Suiter-Crenshaw and Mr. Crenshaw.

9. Mr. Crenshaw has obtained new counsel to represent him in this matter. Although he is obtaining new counsel, a conflict of interest still exists.

10. Boleman has attempted on numerous occasions to assist Ms. Suiter-Crenshaw in obtaining new counsel by providing recommendations of other local bankruptcy lawyers, although Ms. Suiter-Crenshaw has thus far chosen not to retain other counsel.

11. In addition, communication between Boleman and Ms. Suiter-Crenshaw has deteriorated to such an extent that it is inconsistent with a continuing, working attorney-client relationship and, accordingly, good cause exists for Boleman to withdraw as counsel Virginia Rule of Professional Conduct 1.16(b)(6).

12. Boleman has, in writing and during multiple face-to-face office meetings with its attorneys, advised Ms. Suiter-Crenshaw of the date of the hearing of the Trustee's Motion to Dismiss for Unreasonable Delay. Additionally, during the office meetings, the attorneys have explained the effect of the IRS claim on Ms. Suiter-Crenshaw's Chapter 13 plan. She is aware that the claim must either be successfully objected to or that her Chapter 13 plan must provide for the claim in some manner that satisfies the Bankruptcy Code or is accepted by the IRS.

13. If, as she has been advised, Ms. Suiter-Crenshaw retains knowledgeable counsel, the issues with the IRS claim and the Chapter 13 plan appear to be resolvable without prejudicing her.

WHEREFORE Boleman and its respective lawyers requests that this Honorable Court enter an Order permitting Boleman and its lawyers to withdraw as counsel of record and grant any further relief that the Court deems to be just and proper under the circumstances.

Respectfully Submitted,

By: /s/ Mark C. Leffler

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I certify that on July 7, 2015, a copy of the foregoing has been mailed via first class mail to Dorothy Suiter-Crenshaw, Suzanne E. Wade, Chapter 13 Trustee, the United States Trustee, and all creditors as set forth on the attached mailing matrix.

By: /s/ Mark C. Leffler
Counsel for Debtors

Office of the US Trustee
701 E. Broad Street
Room 4304
Richmond, VA 23219

Bon Secours Richmond Health Sy
RE: Bankruptcy
P.O. Box 28538
Richmond, VA 23228

Connects Federal Credit Union
7700 Shrader Road
Henrico, VA 23228

Credit Adjustment Board
8002 Discovery Drive
Suite 311
Henrico, VA 23229-8601

Direct TV
RE: Bankruptcy
PO Box 6550
Englewood, CO 80155-6550

First National Collection Bure
610 Waltham Way
Sparks, NV 89434

Fredericksburg Collection
10506 Wakeman Drive
Fredericksburg, VA 22407

Internal Revenue Service
400 N. 8th St., Box 76
Stop Room 898
Richmond, VA 23219

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101-7346

Internal Revenue Service
Proceedings & Insolvencies
P.O. Box 21126
Philadelphia, PA 19114-0326

Radiologic Assoc of Fredbrg
Re: Bankruptcy
PO Box 7819
Fredericksburg, VA 22404

Stony Point Surgery Center
8700 Stony Point Pkwy
Richmond, VA 23235

VHDA
Attn: Bankruptcy Dept.
601 S. Belvidere St.
Richmond, VA 23220

Virginia Credit Union
P.O. Box 90010
Richmond, VA 23225

Virginia Dept of Taxation
P.O. Box 2156
Richmond, VA 23218